

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CRIMINAL DIVISION

UNITED STATES OF AMERICA,

CASE NO. 00-6040-CR-ZLOCH

Plaintiff,

vs.

DERRICK ANDERSON,

Defendants.

**DEFENDANT'S MOTION TO CONTINUE SENTENCING
AND/OR NOTICE OF CONFLICT RE: JULY 24, 2000**

Defendant, DERRICK ANDERSON, by and through undersigned counsel, respectfully moves this Honorable Court to continue the sentencing scheduled for Monday, July 24, 2000, at 1:30 p.m., or in the alternative notifies the Court of a scheduling conflict that may necessitate an emergency continuance of the sentencing date, and in support thereof would show:

1. Counsel had been notified by the Honorable Gary Cowart that he is specially set for trial on Monday morning, July 24, 2000, in re: State v. Helen Goldberg, Case No. 99-29169 MM 10A. The matter is specially set for trial at 9:30 a.m. Witnesses are traveling from Pennsylvania to testify at trial. As with any State court proceeding, things can change. At this time

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there is no reason to believe that to be the case. If the matter is resolved, then counsel will be available at 1:30 p.m., but respectfully notifies this Court of the likelihood that the trial may proceed for a two (2) day period, leaving counsel unavailable for sentencing at 1:30 p.m.

2. In an abundance of caution, counsel is moving to continue this sentencing by a forty-eight (48) hour period to ensure counsel's availability and to avoid any last minute scheduling changes for this Court's docket.

3. The Defendant's family will be traveling from New York to the Southern District to testify at the sentencing proceeding.

4. This motion is presented in good faith and not interposed for delay. Counsel is moving in an abundance of caution to avoid any disruption of this Court's procedures. Counsel is respectfully requesting that the Court consider rescheduling the matter for sentencing on Wednesday, July 26, 2000, or Thursday, July 27, 2000, to ensure counsel's availability.

5. Contact has been made with Assistant U.S. Attorney Terrence Thompson who has no objection to the Defendant's motion to reschedule the sentencing or, in the alternative, defers to the Court to determine the appropriate time and date for sentencing.

WHEREFORE, Defendant, DERRICK ANDERSON, respectfully moves this Honorable Court for a continuance of the sentencing date

scheduled for Monday, July 24, 2000, at 1:30 p.m.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing was mailed this 20th day of June, 2000, to **TERRENCE J. THOMPSON**, ASSISTANT U.S. ATTORNEY, United States Attorney's Office, 299 East Broward Boulevard, Fort Lauderdale, Florida 33301; **KENNETH P. HASSETT, ESQ.**, Hassett & Associates, P.A., Attorney for Defendant Dairel Worrell, 201 Sevilla Avenue, Suite 202, Coral Gables, Florida 33134; and **ALVIN ENTIN, ESQ.**, Attorney for Richardo James, 200 East Broward Boulevard, Suite 1210, Fort Lauderdale, Florida 33301.

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By: _____

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